

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of

Massachusetts

Benjamin Fonkem

V.

Dean O'Malley et al.

SUMMONS IN A CIVIL ACTION

04 10754 EFH

CASE NUMBER:

TO: (Name and address of Defendant)

Dean O'Malley
Massachusetts State Police

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Howard Friedman
Myong J. Joun
Law Offices of Howard Friedman, P.C.
90 Canal Street, 5th Floor
Boston, MA 02114-2022

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



TONY ANASTAS

CLERK

APR 14 2004

DATE

(By) DEPUTY CLERK

[Signature]

69857

**UNITED STATES DISTRICT COURT
District of Massachusetts
Civil Action No. 04-10754 EFH**

I hereby certify and return that today, April 29, 2004, at 4:00 PM, I served a true and attested copy of the within Summons together with a copy of the complaint in this action upon the within named Massachusetts State Trooper Dean O'Malley, by giving in hand to Dean O'Malley. Said service was effected at: State Police Troop "H" Headquarters, 125 William Day Blvd., South Boston, MA 02125.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing information is true and correct. Executed on April 29, 2004.



Kevin McGrail, Constable
& Disinterested Person over Age 18.

Butler and Witten
Boston, MA
(617) 325-6455